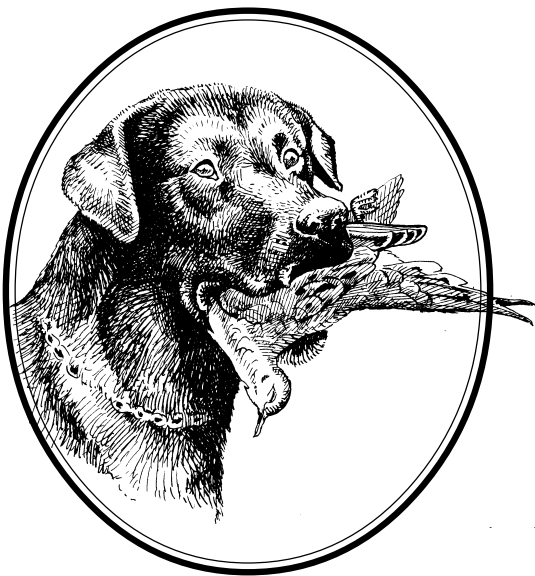


SOUTH CAROLINA DOVE HUNTING GUIDE



Information on the Legalities of Preparing Fields for Dove Hunting



DNR

The South Carolina Department of Natural Resources prohibits discrimination on the basis of race, color, sex, national origin, religion, disability or age. Direct all inquiries to the Office of Human Resources, PO Box 167, Columbia, SC 29202.

Frequently Asked Questions

1. Can wheat be top sowed, not covered, and hunted?

No. Top sowing wheat is not considered a normal agricultural practice in South Carolina.

2. After a corn field is combined and strips are plowed up and planted in wheat, is this considered a legal field?

Yes, if planted according to Extension Service guidelines

3. If a big field is plowed, but only part of it is planted, is this legal?

Yes, if the planting is done according to Extension Service guidelines.

4. Can part of a field be bush hogged at different times such as four rows now and four rows later, and so on?

Yes. A crop grown on the field can be manipulated for wildlife management purposes.

5. Can millet or corn be bush hogged and more millet or corn grain be added to the field?

No. No grain or feed of any kind may be added because this is not a normal agricultural practice.

6. Can doves be hunted on a field where corn or other grain has been placed to attract deer?

No. Although it is legal to bait deer in some parts of the state, this would be illegal for dove hunting.

7. Can I shoot doves on areas where rye, ryegrass, wheat or other seeds have been top-sown to control erosion?

No. Top-sowing or over-seeding to control erosion is not considered normal agricultural planting.

8. Can I plant millet or sunflowers during dove season and hunt over it?

No. Planting millet or sunflowers during the time period when dove hunting is in season is not a normal agricultural practice.

9. Can I sow wheat in August and September, cover the seed, and shoot doves over it?

No. The Extension Service considers the earliest normal wheat planting date to be October 1.

10. Can I burn or turn hogs or cattle into a crop grown on the field and hunt doves over it?

Yes. A crop grown on the field can be manipulated for wildlife management purposes.

The Law

The federal code of regulations addresses dove hunting in two sections, the first describing when dove hunting is not legal, the second describing when it is legal.

Illegal Dove Hunting

Baiting and the Baited Area

The following regulation states that baiting is illegal and then defines what baiting and a baited area is:

“No person shall take migratory game birds (of which the dove is one) by the aid of baiting, or on or over any baited area.”

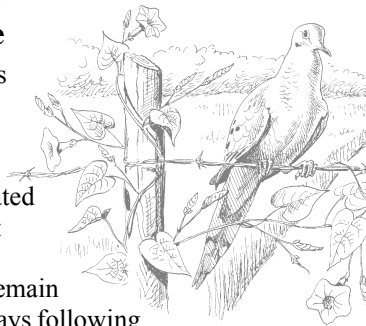
“Baiting” shall mean the placing, exposing, depositing, distributing or scattering of shelled, shucked or unshucked corn, wheat or other grain, salt or feed so as to constitute for such birds a lure, attraction or enticement to, on, or over any areas where hunters are attempting to take them.

“Baited area” means any area where shelled, shucked or unshucked corn, wheat or other grain, salt or other feed whatsoever capable of luring, attracting or enticing such birds is directly or indirectly placed, exposed, deposited, distributed or scattered.

The 10 Day Rule

The regulation ends by stating what is known as the 10 Day Rule, a portion of the law often violated during dove hunting:

“... And such area (a baited area) shall remain a baited area for 10 days following complete removal of all such corn, wheat or other grain, salt, or other feed.” This means that whether any grain is evident or not, the field’s status is that of a baited area for 10 days following the removal of bait and is therefore illegal. An area is considered baited for 10 days after bait has been removed because doves habitually return to the same field to feed, even several days after the food has disappeared. Therefore, if doves are attracted to a freshly plowed field, it may be because it has been baited.



Legal Dove Hunting

The second section defines two settings where hunting is legal over agricultural land. One is when the hunter shoots over crops just planted or harvested in a normal agricultural manner. The second is when a landowner grows crops using normal agricultural practices with the intent of manipulating them for wildlife management purposes.

Hunting Over Agricultural Land

Nothing in the baiting regulation “shall prohibit the taking of all migratory game birds, including waterfowl, on or over standing crops, flooded standing crops (including aquatics), flooded harvested croplands, grain crops properly shocked (or stacked together) on the field where grown or grains found scattered solely as the result of **normal** agricultural planting or harvesting.”

Hunting Over Agricultural Land Manipulated for Wildlife Management

The baiting regulation does not prohibit “the taking of all migratory game birds EXCEPT waterfowl, on or over any lands where shelled, shucked, or unshucked corn, wheat or other grain, salt, or other feed has been distributed or scattered as the result of normal agricultural operations or procedures, or as a result of manipulation of a crop or other feed on the land where grown for wildlife management purposes: **Provided**, that manipulation for wildlife management purposes does not include the distributing or scattering of grain or other feed once it has been removed from or stored on the field where grown.”

In order to understand the law’s application, the sportsman should know the legal definition of “take,” which refers to the attempt to take as well as the act of taking itself: “Take” means to pursue, hunt, shoot, wound, kill, trap, capture or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture or collect.

Equally important to understanding the law is a familiarity with what is meant by normal agricultural operations: that is, what constitutes the accepted agricultural practices in South Carolina for planting corn, millet, wheat, sunflowers or other grains. The Clemson University Extension Service is the authority for this in South Carolina and publishes an agricultural planting guide annually. There is an Extension Service Office in every county.

The Intent of the Law

The dove hunting regulations were passed into law to serve two purposes:

1. To protect the mourning dove as a state and national resource
2. To equalize hunting opportunities by dispersing the birds over agricultural fields.

In 1974 federal baiting laws were liberalized. The theory was that if landowners were allowed to attract doves by planting crops under legal guidelines, then regulated farming would tend to disperse the birds. Crops manipulated for wildlife management would also directly benefit the wildlife resource by providing an abundance of food for many species.

Baiting by piling grain unfairly concentrates birds in a small area where they will be an easy target for the unethical hunter. Not only do some hunters tend to overshoot their limit on a baited field, but they enjoy an unfair advantage over hunters seeking their share of the resource in nearby legal fields.

The standard for establishing guilt for a person charged with hunting over bait is whether the person “knows or reasonably should know that the area is or has been baited.” A hunter is responsible for determining the legality of a field before hunting on the field. Seeds, grain or other feed broadcast on freshly-plowed ground is an obvious baiting violation, and would almost certainly meet the standard that any hunter hunting on the field “knows or reasonably should have known that the area is or has been baited.”

Baiting regulations are intended to provide equity among those competing for the dove resource, to encourage sound wildlife management practices, and to protect the dove population, a resource that federal and state agencies are required to protect by vigorous law enforcement.

New state and federal penalties apply to those convicted of hunting migratory birds over bait of baiting a field.

The Penalty

The penalty for a baiting law violation in South Carolina may be enforced on the state or federal level. (On the state level, a violator is fined not more than \$500 plus court costs, or is imprisoned for not more than thirty days. On the federal level a violator is fined not more than \$15,000 and/or imprisoned for not more than six months.) For repeated offenses a magistrate has the authority to suspend any person’s hunting privileges. Since the DNR’s Law Enforcement Division is enforcing a federal law, baiting violation cases may be referred to the federal government for prosecution. Any person convicted by a court of law for hunting over bait will be assessed eight points against his/her hunting license. The S.C. Department of Natural Resources (DNR) will suspend for one year the hunting privileges of any person who has obtained eighteen or more points within one year.

What You Can Do

Besides a sincere effort to understand and abide by the law, the sportsman can protect him/herself from inadvertent violations by observing a few precautions. For instance, when organizing a shoot or a club hunt, make sure you know what has been done to the dove field(s) and when. If possible, visit the field several days before the hunt either in the early morning or mid afternoon. If you are invited on a hunt, check with your host to find out the field’s condition.

Anyone previewing a field before a hunt should look for the doves themselves. An unusual concentration will direct your attention to their reason for being there. If the doves are feeding on waste grain from a field that has been harvested, such as combined corn or soybeans, the field is legal. If the birds are feeding on fields where crops have actually been grown and manipulated so as to scatter the grain over the field, that is legal too.

If the field has been planted in wheat, make sure it was planted according to Extension Service guidelines, i.e. between October 1 and November 30, by preparing a good seedbed, and by drilling or otherwise covering the seed to a depth of 1½ inches.

Other fields to avoid are those with cracked grains placed in piles or strips. This is baiting in its most obvious form. Also steer clear of a field with any sign of rock salt in piles or strips. Because rock salt is lethal to mourning doves, using salt for bait is not only illegal under any circumstances, but inhumane and unethical.

In freshly plowed or disked fields, be suspicious. This may be a field affected by the 10 Day Rule. That is, bait was placed in the field, the bait was removed, and then the field was plowed. The field is still not legal until 10 days after removal of all bait.

Finally, if the landowner or person preparing the field has any questions, they can direct their inquiries to any of the SCDNR offices listed in this brochure. If you are an invited guest, your questions concerning the legality of the field can best be answered by the person who prepared the field. In the event of a field check, the officers determination of the field’s condition will only apply to the field at the time of inspection.

Practicing the Law's Intent

The greatest majority of dove shoots in South Carolina are held over three kinds of fields:

1. Harvested fields composed of combined or picked corn, combined soybean fields, or other fall harvested crops.
2. Fields where crops are grown and manipulated for wildlife management purposes.
3. Fields where wheat or other grains have recently been planted.

Usually the first two types of fields are easily identified as legal fields. The regulations permit shooting doves on or over standing crops, grain crops properly shocked on the field where grown, or grains found scattered solely as the result of **normal** agricultural planting or harvesting. The regulations also allow shooting doves on or over fields where shelled, shucked or unshucked corn, wheat, other grain, or other feed has been distributed or scattered as the result of normal agricultural operations.

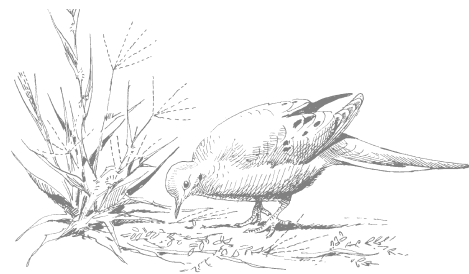
The third type where wheat or other grains have recently been planted, often causes confusion. **The Clemson Extension Service does not consider the top-sowing of wheat or other grain without covering the seed to be a normal agricultural practice. Therefore, fields where wheat or other grains have been top-sown are illegal for dove-hunting. Also, wheat planted prior to October 1 would be illegal for dove hunting purposes.**

Some Final Reminders

1. The **daily** bag limit for doves is 12. The field possession limit is the same as the daily bag limit.
2. If birds are placed in the care of another sportsman, the birds must be tagged with the name and address of the hunter who killed the birds, the hunter's signature, the total number of birds involved by species, and the date the birds were killed. The tagging requirement does not come into effect until the hunter has left the place where the doves were taken and has arrived at his car, his main means of land transportation, his home, or a temporary lodging place. Therefore, on the field where the birds are taken, an individual is only allowed to possess the daily bag limit.
3. Hunters must make an effort to retrieve any downed bird and include it in his or her daily bag.
4. Remember to purchase and have on your person a hunting license/and migratory bird permit.
5. Check your autoloading or repeating shotgun. It must be plugged so as to be limited to three shells or consecutive shots.

6. Songbirds, hawks, and owls are protected by state and federal laws and should not be targets of the thoughtless gunner. Any person violating the law by taking these birds will be punished with a fine up to \$500.

7. In South Carolina the mourning dove is a bountiful resource, but only as a combined result of sound law enforcement and the ethical hunting standards of our state's sportsmen. Only when law enforcement officers, landowners and sportsmen all cooperate in good faith to act for the good of the resource and fair hunting, will baiting violations be significantly reduced.



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: **For information on planting fields for doves**, write :
: SCDNR, Small Game Project, PO Box 167, Columbia, SC :
: 29202, or contact your local Clemson Extension Service :
: office. **For information on dove hunting**, call DNR's Law :
: Enforcement Division (803-734-4002), or call your local law :
: enforcement office (see below): :
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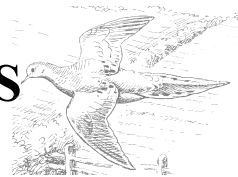
: Barnwell	: 803/259-7900	: Florence	: 843/661-4766
: Bear Island	: 843/844-2952	: Georgetown	: 843/546-8523
: Bonneau	: 843/825-3387	: Greenville	: 864/288-1131
: Charleston	: 843/795-6350	: Hampton	: 803/943-4088
: Clemson	: 864/654-8266	: Parler	: 843/563-2302
: Conway	: 843/248-5018	: Port Royal	: 843/524-9190
: Edgefield	: 803/637-3397	: Ridgeland	: 843/726-5054
		: York	: 803/684-4078

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: **To Report Wildlife Violations call: 1-800-922-5431** :
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South Carolina Department of Natural Resources

BASIC DOVE FIELD GUIDELINES



Doves fall under the Migratory Bird Treaty Act and are under joint jurisdiction of both the Federal and State Governments. These are the guidelines that the Law Enforcement Division uses to answer questions from the public.

Each type of field is listed below and recommendations are offered for each type of grain.

BARLEY, OATS, RYE AND WHEAT—In order for freshly planted fields to be legal for dove hunting, the field must have been plowed or disced to prepare a good seedbed, and the seed must have been drilled or otherwise covered to a depth of 1 ½ inches. Also, it is **NOT** legal to hunt over freshly planted winter grain fields unless planted within Clemson Extension Service recommended planting dates (for example: wheat October 1—November 30).

Barley, oats, rye and wheat that has grown and matured in the field may be harvested, bush hogged or left standing. These may also be raked, plowed or burned (in part or whole).

CHUFAS, BAHIA GRASS and LESPEDEZA—If grown and matured in the field, these would be legal to hunt over. These may be left standing, mowed, bush hogged, burned or plowed/disc'd (in part or whole). These are **NOT** top sown during the fall.

CORN—Fields may be standing, harvested, burned, raked or bush hogged (in part or whole). As long as the grain was grown in the field in question and remains in the field, the field is legal. Corn may **NOT** be harvested, removed from the field, shelled or cleaned and returned to the field in which it was grown.

Rows and strips can be planted in conjunction with other crops to attract more doves. No corn can be added to any field. Corn is **NOT** top-sown and **NOT** planted in the fall.

COTTON—Cotton fields that are harvested or standing may be hunted over. These may be burned or disced (in part or whole). So long as **NO** grain is added to the field, the field would be legal.

EGYPTIAN WHEAT—See Sorghum.

LIVESTOCK HOLDING AREAS—Areas where livestock are fed can be hunted over, however there are “fine” lines between legal and illegal in this instance. In brief, areas around feed troughs where grain is spilled as a result of livestock feeding would be legal to hunt over.

An example of a legal area would be a chicken pen, around a horse or cow feed trough or around a pig/hog feeder where grain was spilled or placed there for the livestock as a result of normal practices.

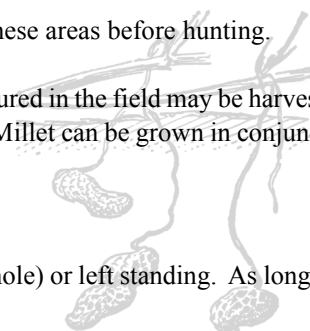
An example of an illegal area would be where grain has been scattered in several places where feeding would not **NORMALLY** occur (such as pouring corn out on the ground for cows).

It is suggested that these questions be referred to an officer and the officer can check these areas before hunting.

MILLET (DOVE PROSO OR JAPANESE)—Millet that has grown and matured in the field may be harvested, mowed or burned. These fields can be raked, plowed or burned to attract more doves. Millet can be grown in conjunction with other crops to attract doves.

Millet is **NOT** top sown during the fall and no millet can be added to any field.

PEANUTS—Peanut fields may be harvested, plowed, disced or burned (in part or whole) or left standing. As long as **NO** grain or food stuffs are added to the field, the field would be legal.



SORGHUM (MILO)—Sorghum that has grown and matured in a field may be hunted over. This field may be left standing, plowed (in part or whole) and may be burned or harvested (in part or whole). Sorghum can be grown with other crops to attract doves.

Sorghum is **NOT** planted in the fall and **CANNOT** be top sown to be hunted over.

SOYBEANS—Soybeans are often used as a late season shoot. Soybeans are planted in the summer and allowed to mature. Once mature (growing), the field may be harvested, bush hogged or left standing (in part or whole). Soybeans may be grown in conjunction with other crops to attract doves.

No soybeans can be added to any field. Soybeans can **NOT** be top sown and are **NOT** planted in the fall.

SUNFLOWERS—Fields may be bush hogged, harvested or left standing. Any exposed grain must have been grown in the field.

The field can be burned, plowed or raked (in part or whole) to attract more doves. Sunflowers may be grown in conjunction with other crops.

Top-sowing sunflowers is **NOT** legal and sunflowers are planted in the spring, not in the fall.

VEGETABLE CROPS (BEANS, PEAS, WATERMELONS, ETC.)—Vegetable crops that have grown and matured may be harvested, disced, burned, plowed or left standing. So long as **NO** grain is added, the field would be legal. Beans or peas which are top sown would **NOT** be legal to hunt doves over.

WEED FIELDS (BLACKBERRIES, POKEBERRIES, ETC.)—Weed fields may be disced, burned or plowed to attract doves. So long as **NO** grain is added, the field would be legal.

NOTE:

- *These guidelines are only for doves. Other migratory birds, turkey and deer all have separate guidelines.*
- *These guidelines are not intended to “replace or reword” any State or Federal regulations and are offered as general guidelines to correlate answers to simple questions from the general public.*
- *Any crop that has been planted and is growing or has matured and/or seeded can be manipulated for doves on the field where grown and may be hunted over.*
- *Manipulation means: plowing, discing, harvesting, combining, burning, raking, shocked, etc. This may be done in part or whole, in rows or sections. Part or all of the crop may be left standing.*
- *Scratchfeed, cracked corn or salt are almost always illegal and only in certain livestock areas would they be considered legal.*
- *A field is considered “baited” for a period of 10 days after **ALL** bait has been removed. Many people get confused over this 10 day removal and it only applies to baited areas.*
- *An area can have many sections of which any of the mentioned crops may be planted. These crops can be combined to make an “all season” field, so a field is not limited to a single type of grain.*
- *Areas where grass seeds or grains have been top sown or over-seeded to control erosion are **NOT** legal to hunt over.*